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REMARKS

Claims 1-8 are pending in the application.

The title was objected to, and a new title required that is clearly indicative of the invention to which the claims are directed. A new title has been provided. Approval of the new title is respectfully requested.

Claims 1-8 were rejected under 35 USC 103(a) as being unpatentable over Japanese Publication 11-164234 to "Makishima" in view of U.S. Patent 5,583,715 to Miura. This rejection is respectfully traversed.

On page 4 of the Office Action of 10/17/2005, it was stated: "Makishima does not describe the claim's detail of checking the capacity of the receiving storage device."

The Miura reference was cited allegedly to remedy the deficiencies of Makishima. In the Office Action, it was stated that the computer in Miura "checks for the capacity of the disc to determine if the disc can store the images, if not the operation is aborted, and an error processing is generated" (Office Action, page 4, emphasis added).

Referring to FIG. 1 of Miura, as cited in the Office Action, it is determined whether there is remaining capacity in a floppy disc (see step S3 in FIG. 1). If the answer is NO, then error processing is executed in step S9 (see FIG. 1; column 1, lines 42-44 of Miura).

However, Miura does not teach or suggest a data storage method wherein if a computer devices does not have enough capacity for data storage, an error message is returned to a user, and the data storage process is terminated.
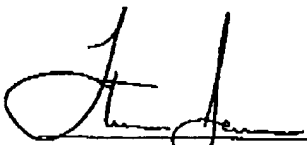
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In Miura, if there is not enough capacity in the floppy disc, then an error processing is executed. There is no teaching or suggestion in Miura that the data storage process is terminated. There is simply no teaching or suggestion in Miura that error processing includes "terminating a data storage process," as recited in claim 1.

Moreover, one of ordinary skill in the art would not understand that mere execution of an "error processing" somehow includes termination of a data storage process. Conventionally, execution of error processing can involve re-checking for another storage device such as a thumb drive, memory card, etc., but does not require **terminating a data storage process.**

For at least the reasons discussed above, the proposed combination of Makishima in view of Miura does not teach or suggest the Applicants' claimed invention.

It is believed that the claims are in condition for immediate allowance, which action is earnestly solicited.

Respectfully submitted,

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Peter F. Corless (Reg. No. 33,860)
Steven M. Jensen (Reg. No. 42,693)
Edwards Angell Palmer & Dodge
P.O. Box 55874
Boston, MA 02205

Phone: (617) 439-4444

Customer No. 21874